IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.569 OF 2005
IN
CHAMBER SUMMONS NO.582 OF 2004
IN
SUIT NO.1199 OF 2001

Mohamed Farid Abdulla Saudagar .. Appellant.

V/s.

Siraz Abdul Hussein Contractor
& Others .. Respondents.

Mr.A.G. Damle for the appellant.

CORAM : R.M. LODHA &
J.P. DEVADHAR, JJ.

DATED : 19TH JULY, 2005.

P.C. :

Heard Mr.A.G. Damle, the learned counsel for the appellant.

2. The royalty fixed by the learned Chamber Judge at the rate of Rs.10,000/- per month cannot be said to be excessive. The subject property is a residential flat. According to the report submitted by the authorised valuer, the property can fetch the rent of Rs.17,500/- per month. In this backdrop the fixation of royalty by the learned Chamber Judge at the rate of Rs.10,000/- per month does not call for any interference.

3. The time granted by the learned Chamber Judge for making payment of the arrears is extended upto August 31, 2005. Order accordingly.

4. The appeal is dismissed in limine.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)